

Statement under Article 19(1)

The international search report indicated that the independent claim 1 of the present application does not meet the criteria of Article 33(1) PCT, because the subject-matter of claim 1 is not new in the sense of Article 33(2) PCT. Reference is made to the document WO 03/037403 A (Massachusetts Institute of Technology, 8. May 2003) and it is concluded by the examiner that the term flexible referring to the surface does not differentiate the subject-matter of claim 1 from the surface 50 of the cited document, because any surface has a certain flexibility. The examiner states, in addition, that: "However, replacing the wording of claim 1.e) "to bring the surface" by "to bend the surface" or "to flex the surface" would render claim 1 new and inventive over the prior art (Article 33(2) and (3) PCT)." Following the recommendation of this statement we have amended Claim 1.e), and accordingly, Claims 15 and 16.

At this stage we would like to point out that the flexibility of the surface adhering to the skin and the possibility to deform it to a pre-stressed convex shape, which can be released to a relaxed flat shape as indicated in our definition of the *Component with a flexible surface* on page 3 of the patent application, is an intrinsic component of the invention, since it effects the implantation of the sensors into the skin. This is a fundamental difference to the device described in WO 03/037403 A (Massachusetts Institute of Technology, 8. May 2003), since by our inventive mechanism implantation into the skin can be accomplished without the need for an actuator. In addition, the sensors of the device described in our patent application do not move relative to the body of the device during implantation into the skin, allowing a much simpler and more failure-safe construction.